

## STANDARDS COMMITTEE

10.00 A.M.

9TH APRIL 2009

### PRESENT:-

Councillors Keith Budden (substitute for Joyce Taylor), Roger Dennison, Sheila Denwood, Sarah Fishwick, Janie Kirkman, Ian McCulloch and Roger Sherlock

Independent Members Stephen Lamley (Chairman), Tony James, and David Jordison

Parish Council Representatives Paul Gardiner and Susan O'Brien

### Apologies for Absence

Councillor Joyce Taylor

Independent Member Sue McIntyre

Parish Council Representatives Margaret Davy and Frank Senior

### Officers in attendance:-

Sarah Taylor                      Head of Legal and Human Resources and  
Monitoring Officer.

Ron Matthews                      Senior Democratic Support Officer

## 24        **MINUTES**

The Minutes of the meeting held on 22<sup>nd</sup> January, 2009 were signed by the Chairman as a correct record.

## 25        **MR FRANK SENIOR**

The Chairman referred to the apologies received from Parish Council Representative Frank Senior who was recovering from an operation.

The Chairman and Committee wished him well in his recovery and requested that these good wishes be conveyed to Frank.

## 26        **ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN**

There were no items of urgent business.

## 27        **DECLARATIONS OF INTEREST**

There were no declarations of interest.

**28 WORK PROGRAMME**

The Monitoring Officer submitted a report detailing progress on the Committee's work programme for 2009. Reference was also made to the provision of training for members and the opportunity to attend training session held for members of the committee.

The Chairman reported that the previous day he had attended the full Council meeting to present the Annual Report of the Standards Committee and briefly outlined the basis of that report. He also informed the meeting that the Council has expressed its appreciation of the work of the independent members of committee and he had undertaken to convey this to the meeting today. City Councillors on the Committee reiterated these comments.

***Resolved:***

1. That the updated work programme be approved.
2. That the Monitoring Officer explore additional training opportunities for members.

**29 OVERVIEW OF COMPLAINTS AND REVIEW OF PROCEDURE FOR REPORTING THE OUTCOME OF "OTHER ACTION"**

The Monitoring Officer reported that since May, 2008, complaints of alleged breach of the Code of Conduct have been made locally to the Standards Committee rather than to the Standards Board for England, as previously. These complaints have subsequently been heard by Assessment Sub-Committees of the Standards Committee. The Committee's work programme provided for the Committee to receive information about the number of complaints received and their outcome.

Attached to the report of the Monitoring Officer was, therefore, a table which summarised the five complaints that had been received since May, 2008.

Options available to an Assessment Sub-Committee are to refer the matter to the Monitoring Officer for investigation or other action, to refer the matter to the Standards Board for England or to decide that no action should be taken.

In respect of four of the five complaints the decision of the Assessment Sub-Committee was that no action be taken. In one of those four cases the complainant exercised the right to request a review of the Assessment Sub-Committee's decision. Subsequently the Review Sub-Committee upheld the previous decision.

The most recent complaint was referred to the Monitoring Officer for the Monitoring Officer to provide training for the member concerned on the declaration of interests and the action to be taken when a prejudicial interest arises. That training had now been undertaken and the Monitoring Officer was required by Regulation 13(4)(c) of the Standards Committee (England) Regulations 2008 within three months to submit to the Standards Committee a report giving details of the action taken. The Committee was required to indicate whether it was satisfied with the action. The Regulations were unclear whether the reference to the Standards Committee was to the full Committee or the original Assessment Sub-Committee. Logical interpretation suggested that the sub-committee that considered the original complaint would be the most appropriate body.

The Monitoring Officer, therefore, requested the Committee to consider authorising, in each case, the original Assessment Sub-Committee to receive and consider the report required by Regulation 13(4)(c).

**Resolved:**

1. That the report be noted.
2. That, in cases where a complaint is referred to the Monitoring Officer for “other action”, the original Assessment Sub-Committee be authorised to receive and consider the subsequent report required under Regulation 13(4)(c) of the Standards Committee (England) Regulations 2008 for confirmation that it is satisfied with the action taken.

**30 PROTOCOL FOR PRESS ENQUIRIES ABOUT COMPLAINTS TO THE STANDARDS COMMITTEE**

The Monitoring Officer reported that experience from the first year of local assessment of complaints had been useful in enabling the Committee to review its policies and procedures. Following a press enquiry in December, 2008, regarding a complaint which had not yet been considered by the Assessment Sub-Committee the Monitoring Officer and the Communications Officer felt it would be appropriate for the Committee to develop a Protocol for dealing press enquiries regarding complaints. This was subsequently included in the Committee’s work programme.

A draft Protocol was, therefore, appended to the report for the Committee’s consideration.

The general consensus from the Committee was to welcome the Protocol.

The Chairman reported that last year he had been contacted, by the Monitoring Officer, regarding the case which had highlighted the need for the Protocol, seeking his authority to notify the member concerned about a complaint before it appeared in the press. Normally the member would be informed after the complaint had been considered by an Assessment Sub-Committee. He, therefore, requested that where the Monitoring Officer was unsure about informing the relevant member, as detailed in paragraph 4 of the Protocol, then the Chairman and/or the Vice Chairman be consulted.

**Resolved:**

1. That paragraph 4 of the Protocol be amended to incorporate provision for the Monitoring Officer to consult the Chairman or Vice Chairman (subject to their availability) if there was any doubt as to whether the subject Member should be informed of a complaint.
2. That the draft Protocol, attached to the report of the Monitoring Officer, as amended in 1 above, be adopted.

**31 DATES OF FUTURE MEETINGS**

The Monitoring Officer reported that the agreed dates for meetings of the committee for the year 2009/2010 were as follows:

18<sup>th</sup> June, 2009;

1<sup>st</sup> October, 2009;

21<sup>st</sup> January, 2010;

22<sup>nd</sup> April, 2010.

***Resolved:***

That the dates for meetings of the committee in 2009/2010 be noted.

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Chairman

(The meeting ended at 10.30 am)

**Any queries regarding these Minutes, please contact  
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